



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

December 22, 2004

TO: Interested Parties -- Commercial Availability Reviews

FROM: Jackie W. Jones, Program Manager for
Commercial Availability Reviews
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SUBJECT: Commercial Availability Review on Boys' Apparel of Certain Polyester
Fabrics (Investigation No. 332-458-024)]

The U.S. International Trade Commission has initiated a review to provide advice concerning a petition filed under the "commercial availability" provision of the United States-Caribbean Basin Trade Partnership Act (CBTPA) on boys' apparel of certain polyester fabrics. The fabrics are classified in HTS subheading 5407.53.20 (statistical reporting numbers 5407.53.2020 and 5407.53.2060) and are woven fabrics made of a 100-percent polyester filament mixture of cationic and disperse yarns of different colors. Detailed information on the specifications for the fabrics may be found on the website of the U.S. Department of Commerce, Office of Textiles and Apparel (OTEXA), at <http://otexa.ita.doc.gov/fr2004/csgpc14.htm>. Because the fabrics named in the petition are similar to fabrics that were the subject of a previous "commercial availability" investigation (No. 332-458-014), the Commission may use information obtained in that investigation as input for this review on the fabrics covered by Investigation No. 332-458-024.

The petition was filed on behalf of Fishman & Tobin, by Sharretts, Paley, Carter & Blauvelt, P.C., and received by the Committee for the Implementation of Textile Agreements (CITA) on December 12, 2004. The petition alleges that the fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner.

The Commission will conduct the review and provide advice under its investigation No. 332-458, *Commercial Availability of Apparel Inputs (2004): Effect of Providing Preferential Treatment to Apparel Imported from Sub-Saharan African, Caribbean Basin, and Andean Countries*, instituted at the request of the United States Trade Representative (USTR). The advice concerns the probable economic effect on U.S. producers, workers, and consumers of granting duty-free and quota-free treatment to apparel made in eligible countries from the specified fabrics, regardless of the source of the fabrics, should CITA determine that the fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner. The Commission will

submit its advice to USTR in a classified report by January 24, 2005, and issue a public version of it soon thereafter.

The Commission invites interested parties to submit written statements (original and 3 copies) concerning issues to be addressed by the Commission in this review by January 10, 2005. Information on procedures for submitting written statements to the Commission can be found in its notice of investigation, which was published in the *Federal Register* of February 9, 2004 (69 F.R. 6003) and posted on its website at <http://www.usitc.gov/invfrn.htm#332>.

Further information on this review can be obtained from Robert Wallace (202-205-3458); robert.wallace@usitc.gov. Information on the commercial availability investigation of the Commission can be obtained from its Program Manager (see above) and from its website at www.usitc.gov/332s/shortsup/shortsupintro.htm. Information on commercial availability requests is also available from the U.S. Department of Commerce, which chairs CITA, on the OTEXA website at <http://otexa.ita.doc.gov/scripts/ca.exe/two>.